S.B.Cr.Misc. IInd Bail App. No.4981/2007

(Shanti Lal & Anr. Vs. State of Rajasthan)

Date of order : October 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.R.S.Mankad, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor.

This is second bail application.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned as also the challan papers.

While rejecting the earlier bail application on 21.8.2007 as it was not pressed by the counsel appearing for the petitioners, the petitioners were granted liberty to file a fresh bail application after filing of the challan. Now the challan has been filed. I have carefully gone through the challan papers.

The allegation of committing robbery of jeep is against the petitioners. From the order impugned and the material available on record, it appears that the complainant and the petitioners at one point of time were consuming liquor, and the petitioners suddenly took away the jeep of the complainant. Be that as it may, the offences are triable by the Court of Judicial Magistrate

and the trial is likely to take a long time.

Having considered the totality of facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Shanti Lal s/o Jagannath and Ram Singh s/o Dadamchand be released on bail in FIR No.71/2007, P.S. Bhindar, Distt. Udaipur provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-